

## **Assembly Bill No. 1237**

### **CHAPTER 473**

An act to amend Sections 5443.5 and 5463 of the Business and Professions Code, relating to advertising.

[Approved by Governor September 24, 1997. Filed  
with Secretary of State September 25, 1997.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 1237, Granlund. Outdoor advertising: display relocation: permit revocation.

(1) Existing law allows any legally permitted advertising display situated on property being acquired by the Department of Transportation for a public use to be relocated on the remainder of the particular property so long as the relocation does not cause a reduction in federal-aid highway funds.

This bill would allow the display to be relocated, subject to the approval of the public agency acquiring the property and the approval of the jurisdiction in which the display will be relocated, without requiring the department to acquire the property and without restricting the relocation on the remainder of the particular property.

(2) Existing law authorizes the Director of Transportation to revoke any license or permit under the Outdoor Advertising Act for the failure to comply with that law and to remove and destroy any advertising display placed or maintained in violation of that law after 10 days' written notice posted on the structure or sign and a copy forwarded by mail to the display owner at his or her last known address.

This bill would authorize the removal and destruction of the display after 30 days' written notice, rather than 10 days' written notice.

*The people of the State of California do enact as follows:*

**SECTION 1.** Section 5443.5 of the Business and Professions Code is amended to read:

5443.5. Nothing in this article prohibits the Department of Transportation from allowing any legally permitted display situated on property being acquired for a public use to be relocated, subject to the approval of the public agency acquiring the property and the approval of the jurisdiction in which the display will be relocated, so long as the action of the department in allowing the relocation of the display would not cause a reduction in federal-aid highway funds, as

provided in Section 131 of Title 23 of the United States Code, or an increase in the number of displays which do not conform to this article within the jurisdiction of a governmental entity.

SEC. 2. Section 5463 of the Business and Professions Code is amended to read:

5463. The director may revoke any license or permit for the failure to comply with this chapter and may remove and destroy any advertising display placed or maintained in violation of this chapter after 30 days' written notice posted on the structure or sign and a copy forwarded by mail to the display owner at his or her last known address.

Notwithstanding any other provision of this chapter, the director or any authorized employee may summarily and without notice remove and destroy any advertising display placed in violation of this chapter which is temporary in nature because of the materials of which it is constructed or because of the nature of the copy thereon.

For the purpose of removing or destroying any advertising display placed in violation of this chapter, the director or the director's authorized agent may enter upon private property.

